

**UNITED STATES DISTRICT COURT
IN THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

UNITED STATES OF AMERICA

v.

SANTIAGO GUTIERREZ

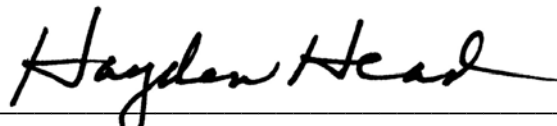
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Case No. 2:12-cr-183

**ORDER GRANTING MOTION
TO SUPPRESS**

On May 8, 2012, Defendant filed a Motion to Suppress Evidence. (D.E. 17). The Court held a hearing on Defendant's motion, parts of which were withdrawn by Defendant. In his remaining motion, Defendant sought to exclude statements made to Drug Enforcement Administration ("DEA") agents after Defendant invoked his right to have counsel present. The Court made oral findings that, pursuant to *Edwards v. Arizona*, 101 S.Ct. 1880 (1981) and its progeny, contact by law enforcement was improperly reinitiated and therefore subsequent statements by Defendant were in violation of his right to counsel. Accordingly, the Court GRANTS Defendant's Motion to Suppress Evidence and orders excluded Defendant's challenged statements made to DEA agents after Defendant requested counsel.

ORDERED this 15th day of May, 2012.

A handwritten signature in black ink, reading "Hayden Head", written over a horizontal line.

HAYDEN HEAD
SENIOR UNITED STATES DISTRICT JUDGE